



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING July 28, 2009 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and Financing Authority to order at 2:02 p.m. (The Ordinance Committee met at 12:30 p.m. The Finance Committee met at 1:00 p.m.)

PLEDGE OF ALLEGIANCE

Fiesta Flower Girls.

ROLL CALL

Councilmembers present: Iya G. Falcone, Dale Francisco, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: Acting City Administrator Joan M. Kent, Acting City Attorney N. Scott Vincent, City Clerk Services Manager Cynthia M. Rodriguez.

PUBLIC COMMENT

Speakers: El Presidente Anthony Borgatello, Old Spanish Days; David Daniel Diaz; Bob Hansen; Liz Anderson.

CONSENT CALENDAR (Item Nos. 1 - 9)

The titles of the ordinance and resolution related to the Consent Calendar were read.

Motion:

Councilmembers House/Schneider to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of June 9, 2009, the special meetings of June 24, 2009, and June 25, 2009 (cancelled), and the regular meetings of June 30, 2009, and July 7, 2009 (cancelled).

Action: Approved the recommendation.

2. Subject: June 30, 2009, Investment Report And June 30, 2009, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the June 30, 2009, Investment Report; and
- B. Accept the June 30, 2009, Fiscal Agent Report.

Action: Approved the recommendations (July 28, 2009, report from the Finance Director).

3. Subject: Adoption Of Ordinance For Seven-Year License Agreement With Web Laundry Service Company, L.L.C. (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Seven-Year License Agreement with Web Service Company, L.L.C., Effective August 29, 2009, for a 156 Square-Foot Laundry Room at 307 Shoreline Drive.

Action: Approved the recommendation; Ordinance No. 5497; Agreement No. 23,161.

4. Subject: Resolution To Dedicate Easements For Street, Bridge, And Public Utilities At 136 West Haley Street (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Dedicating Easements for Street, Bridge, and Public Utilities, and for All Related Purposes, Said Easements Being Located on Portions of the City-Owned Real Property at 136 West Haley Street, Santa Barbara County Assessor's Parcel Number 037-162-010.

Action: Approved the recommendation; Resolution No. 09-066 (July 28, 2009, report from the Public Works Director; proposed resolution).

5. Subject: Contract With Innova Aviation Consulting, LLC, For Air Service Development (560.01)

Recommendation: That Council authorize the Airport Director to execute a contract with Innova Aviation Consulting, LLC, for specialized air service development support for the Santa Barbara Airport, in an amount not to exceed \$52,000.

Action: Approved the recommendation; Contract No. 23,162 (July 28, 2009, report from the Airport Director).

6. Subject: Contract For Construction Of The Marina One Replacement Project - Phase 1 (570.03)

Recommendation: That Council:

- A. Award and authorize the Public Works Director to execute a contract with AIS Construction Company (AIS) in their low bid amount of \$1,781,840, for construction of the Marina One Replacement Project (Project) - Phase 1, Bid No. 3536, and approve expenditures up to \$178,200 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment, and authorize the Public Works Director to accept the final contract amount, with approved changes, and file all Notices of Completion with the County Clerk-Recorder's Office; and
- B. Authorize the Public Works Director to execute a contract with URS Corporation (URS), in the amount of \$40,000, for construction support services, and approve expenditures of up to \$4,000 for extra services of URS that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract Nos. 23,163 and 23,164 (July 28, 2009, joint report from the Waterfront Director and Public Works Director).

7. Subject: Amendment To The Recreational Vehicle Safe Parking Program Agreement (660.04)

Recommendation: That Council authorize the City Administrator to execute an Amendment to the Agreement with the New Beginnings Counseling Center (NBCC) increasing the number of permits issued in City-operated parking lots for the Recreational Vehicle (RV) Safe Parking Program (Program) from fourteen to twenty-five spaces, and maintain the current funding.

Action: Approved the recommendation; Agreement No. 22,547.1 (July 28, 2009, report from the Public Works Director).

8. Subject: Accept Highway Bridge Program Grant Funding For The Cabrillo Bridge Replacement Project (530.04)

Recommendation: That Council accept Highway Bridge Program grant funding in the amount of \$734,259, and increase estimated revenue and appropriations in this amount in the Fiscal Year 2010 Streets Fund Budget.

Action: Approved the recommendation (July 28, 2009, report from the Public Works Director).

9. Subject: Police Department/Downtown Organization Hourly Foot Patrol Officer (520.04)

Recommendation: That Council accept a \$20,000 contribution to the Police Department Tactical Patrol Force Program from the Downtown Organization of Santa Barbara, Inc.

Speakers:

Members of the Public: Bill Collyer, Downtown Organization; Mike Jordan.

Action: Approved the recommendation; Agreement No. 23,165 (July 28, 2009, report from the Chief of Police).

Agenda Item No. 10 appears in the Financing Authority minutes.

NOTICES

11. The City Clerk has on Thursday, July 23, 2009, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
12. Cancellation of the site visit and appeal hearing scheduled for July 27, and July 8, 2009, respectively, for the property located at 3750 Meru Lane due to withdrawal of the appeal.
13. A City Council site visit is scheduled for Monday, August 3, 2009, at 1:30 p.m. to the property located at 436 Corona Del Mar, which is the subject of an appeal hearing set for August 4, 2009, at 2:00 p.m.

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Das Williams reported that the Committee met to consider proposed amendments to Chapters 15.20 and 15.24 of the Municipal Code pertaining to tree preservation and integration of the American National Standards Institute (ANSI) pruning standards in the City's tree preservation policies and enforcement procedures. The amendments will be forwarded to the Council in the near future.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger L. Horton reported that the Committee met to review the June 30, 2009, Investment Report and Fiscal Agent Report. These items were approved by the Council as part of this agenda's Consent Calendar (Item No. 2).

MAYOR AND COUNCIL REPORTS

14. Subject: Request From Mayor Blum And Councilmember Francisco Regarding A Discussion Of The Medical Marijuana Permit Ordinance (520.04)

Recommendation: That Council consider the request of Mayor Blum and Councilmember Francisco to refer the Medical Marijuana Permit Ordinance to the Ordinance Committee.

Documents:

- July 28, 2009, report from the Assistant City Administrator.
- July 27, 2009, letter from President Chris Jensen, Jensen Guitar and Music Co.
- July 27, 2009, letter from Saturnino Daniel Moreno.

Speakers:

Members of the Public: Tony Vassallo; Saturnino Daniel Moreno; Jeffery Wood, Temple of Higher Consciousness; JoAnna La Force, The Farmacy Santa Barbara; Naomi Greene, Eastside Neighborhood; Britta Barlds, Eastside Neighborhood; Bob Hansen; William Welt; B. Nelson.

Motion:

Mayor Blum/Councilmember Horton to refer the Medical Marijuana Permit Ordinance to the Ordinance Committee to review the following:

- Police Department statistics for areas surrounding the existing dispensaries in order to tighten up the ordinance;
- Cap on the number of dispensaries per area;
- Security requirements;
- Milpas Street recovery zone and how it interacts with the dispensaries;

(Cont'd)

14. (Cont'd)

- Siting requirements for dispensaries in proximity to schools and educational enterprises;
- Existing dispensaries to determine whether the duration of operation can be changed;
- Impacts on neighborhoods;
- Re-establishing a moratorium; and
- Input from neighboring jurisdictions.

Vote:

Unanimous voice vote.

Motion:

Mayor Blum/Councilmember Williams to direct the Finance Committee to review the cost recovery fee and return to Council if necessary.

Vote:

Unanimous voice vote.

ADJOURNMENT

Mayor Blum adjourned the meeting at 3:35 p.m. to Monday, August 3, 2009, at 1:30 p.m. at 436 Corona Del Mar.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

MARTY BLUM
MAYOR

ATTEST:

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER